

REMARKS/ARGUMENTS

Favorable reconsideration of this application is respectfully requested.

Claims 1-7 are present in this application, claim 7 being added by way of the present amendment. The amended and new claims are believed to be supported by the non-limiting example described in Figures 72-87 and the description on page 91, line 13 – page 95, line 5. No issue of introduction of new matter is believed to be raised.

Claims 1 and 2 are rejected under 35 U.S.C. § 101. Claims 1-6 are rejected under 35 U.S.C. § 103(a) over U.S. 5,771,334 (Yamauchi et al.) in view of U.S. 2002/0110369 (Mori et al.) and further in view of U.S. 6,724,981 (Park et al.).

With regard to the § 101 rejection, claims 1 and 2 are amended as suggested in the Office Action to recite a computer readable information storage medium storing highlight information. A computer readable information storage medium is believed to clearly recite statutory subject matter directed to a manufacture. The Applicants note the Office Action finds “medium” to be a form of energy but a “medium” is a clearly recognizable term denoting a manufacture on which computer readable information may be stored.

Accordingly, withdrawal of the § 101 rejection of claims 1 and 2 is respectfully requested.

In the computer readable storage medium of claim 1, a high definition (HD) button group can be recorded in HD contents since the button mode field includes a flag describing whether a button group for HD exists or not. The information playback apparatus of claim 3 also includes a button mode field with a flag describing whether a button group for HD exists or not,. The information playback method of claim 5 includes an information storage medium storing a button mode field including a flag describing whether a button group for HD exists or not, and includes the steps of reading out the flat and displaying the readout button information with HD when the flag describes that the button group for the HD exists.

Turning to the § 103 rejection, as correctly stated in the Office Action, Yamauchi et al. does not disclose or suggest wherein the highlight information describes highlight general information and button information table. This reference merely teaches that the PCI packet contains highlight information, as described in column 14, lines 11-15. Accordingly, the claims are patentable over Yamauchi et al.

The Office Action looks to Mori et al. to cure the deficiencies of Yamauchi et al., stating that Mori et al. teaches that the highlight information describes highlight general information and a button information table, as shown in Fig. 47. The Office Action also states that the button mode describes a flag, referring to paragraph [0153]. However, this paragraph merely teaches a “program still picture flag” indicating whether the program includes a still picture. Mori et al. fails to teach that the highlight general information includes a button mode field, the button mode field includes a flag describing whether a button mode group for HD exists or not, bits describing the number of button groups and bits describing a display type of a sub-picture corresponding to the button group. Accordingly, the combination of Yamauchi et al. and Mori et al. fails to disclose or suggest the computer readable information storage medium storing highlight information which includes a button mode field and the button mode field includes a flag describing whether a button group for high definition exists or not. Claim 1 is patentable over the combination of Yamauchi et al. and Mori et al.

The combination also fails to disclose or suggest the playback apparatus of claim 3 used for an information storage medium including highlight information which includes highlight general information, the highlight general information includes a button mode field, and the button mode field includes a flag describing whether a button group for HD exists or not. Claim 3 is also patentable over Yamauchi et al. combined with Mori et al.

Lastly, the combination fails to disclose or suggest the playback method for an information storage medium storing highlight information, where the highlight information includes highlight general information, the highlight general information includes a button mode field, and the button mode field includes a flag describing whether a button group for HD exists or not, the method including the steps recited in claim 5. Accordingly, claim 5 is also patentably distinguishable over Yamauchi et al. in view of Mori et al.

Lastly, Park et al. cited for an HD device, and merely teaches the possibility of storing HD image information on a DVD. Park et al. thus fails to cure the deficiencies noted above in Yamauchi et al. and Mori et al. The pending claims are therefore patentably distinguishable over a combination of Yamauchi et al., Mori et al. and Park et al.

It is respectfully submitted that the present application is in condition for allowance, and a favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Eckhard H. Kuesters
Registration No. 28,870

Carl E. Schlier
Registration No. 34,426
Attorneys of Record

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/07)